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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,807	01/10/2001	Nobuhiro Komata	SCEI 17.998	7356

26304 7590 03/25/2003

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EXAMINER

ARNOLD, ADAM

ART UNIT	PAPER NUMBER
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2697

DATE MAILED: 03/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/757,807

Applicant(s)

KOMATA, NOBUHIRO

Examiner

Adam Arnold

Art Unit

2697

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4-5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because the first fragment is not a complete sentence. Correction is required. See MPEP § 608.01(b).

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1- 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baals, U.S. Patent No. 5,392,337. Referring to claim 1, Baals discloses a recording medium with computer-readable and executable software programs (col. 2, lines 35-49 and col. 3, lines 27-28) that

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performs processing (col. 2, line 36) by taking as commands an output from a controller which has a pressure sensing means (col. 3, line 61) where software programs display messages on a screen in accordance with the output of the controller (col. 1, lines 52-53). Baals does not disclose where the messages are displayed on a computer screen. Baals does disclose that "the command-operated terminal could be utilized in a computer..." (Baals, col. 3, lines 27-28). At the time the invention was made it would have been obvious to a person of ordinary skill in the art to display the messages on a computer screen as opposed to a telephone terminal. One of ordinary skill in the art would have been motivated to do this because peripheral devices, such as displays, are frequently interchangeable in data communications systems.

Referring to claim 2, Baals discloses where messages are displayed in accordance with the rate of change per unit time of an output value of the controller (col. 3, lines 48-53).

Referring to claim 3, Baals discloses where messages are displayed in accordance with the speed that corresponds to the magnitude of an output value of the controller (col. 3, lines 56-64).

5. Claims 4-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baals, in view of Armstrong, U.S. Patent No. 5,999,084. Referring to claim 4, Baals discloses detecting an operation pressure of a user on a controller (col. 3, line 61), displaying messages on the screen based on the selection and displaying the messages all at once (col. 1, lines 52-53). Baals does not disclose determining the number of message display frames based on a pressure output value detected from the pressure on the controller. Armstrong discloses the ability to variably increase and reduce the sensor output dependent on the pressure exerted by the user in order to move faster or slower on a display (col. 3, lines 1-6). At the time the invention was made it would

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have been obvious to a person of ordinary skill in the art to determine the number of message display frames based on a pressure output value detected from the pressure on the controller.

One of ordinary skill in the art would have been motivated to do this to provide further control to the user to manipulate the display. Also, see column 3, lines 6-24 of Armstrong for additional benefits of using this type of device.

Referring to claim 5, the remarks presented above with respect to claim 2 apply equally to this claim.

Referring to claim 6, the remarks presented above with respect to claim 3 apply equally to this claim.

Referring to claim 7, Baals does not disclose where the number of displays is determined in accordance with pressure output values in a correspondence table. At the time the invention was made it would have been obvious to a person of ordinary skill in the art to utilize a correspondence table to determine the output value. One of ordinary skill in the art would have been motivated to do this because data tables (e.g. databases) are frequently used for storing, retrieving and processing data.

Referring to claim 8, Baals discloses where the message rate of change is determined from a previous pressure sensing value (col. 3, lines 55-64) and from a current pressure sensing value (col. 4, lines 1-2—i.e. pressing “done”).

Referring to claim 9, the remarks presented above with respect to claim 4 apply equally to this claim.

Referring to claim 10, the remarks presented above with respect to claim 5 apply equally to this claim.

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Referring to claim 11, the remarks presented above with respect to claim 6 apply equally to this claim.

Referring to claim 12, the remarks presented above with respect to claim 7 apply equally to this claim.

Referring to claim 13, the remarks presented above with respect to claim 8 apply equally to this claim.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Adam Arnold** whose telephone number is **703-305-8413**. The examiner can normally be reached Monday-Thursday and alternate Fridays between 7:00 AM and 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso, can be reached at (703) 305-3885.

**Any response to this action should be mailed to:**

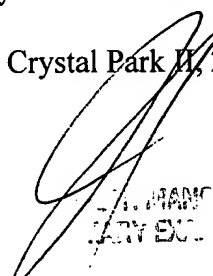
Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).



ADAM ARNOLD  
EXAMINER